Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended): A method for a probe to negotiate a common mode of communication between two nodes, comprising:

a)   establishing a first communication path between the probe and a first node including negotiating a mode of operation with the first node;

b)   establishing a second communication path between the probe and a second [[mode]]] node including negotiating a mode of operation with the second node; and

c)   establishing a third communication path through the probe, the third communication path coupling the first and second communication paths by establishing a point to point link between the first and second nodes in order to provide a negotiated common mode of operation between the first node and the second node by comparing the mode of operation with the first node and the mode of operation with the second node and selecting one of multiple communication paths through the probe as the third communication path to provide a common mode of operation between the first node and the second node, wherein the probe includes a bypass mode in which data bypasses the probe and a pass through mode in which data is monitored by the probe.

2. (Canceled)

3. (Canceled)

4. (Currently Amended): The method of claim [[3]] 1, wherein negotiating a mode of operation with the first node comprises negotiating a speed of a transmission of data over the first communication path between the probe and the first node.

5. (Currently Amended): The method of claim [[3]] 1, wherein negotiating a mode of operation with the first node comprises negotiating one of half duplex and full duplex communication over the first communication path between the probe and the first node.

6. (Canceled)

7. (Canceled)

8. (Currently Amended): The method of claim [[7]] 1, wherein the common mode of operation between the first node and the second node is the best mode of operation available between the first node and the second node.

9. (Currently Amended): A probe that negotiates a common mode of communication between two nodes, comprising:

means for establishing a first communication path between the probe and a first node including negotiating a mode of operation with the first node;

means for establishing a second communication path between the probe and a second node including negotiating a mode of operation with the second node; and

means for establishing a third communication path through the probe, the third communication path coupling the first and second communication paths by establishing a point to point link between the first and second nodes in order to provide a negotiated common mode of operation between the first node and the second node by comparing the mode of operation with the first node and the mode of operation with the second node and selecting one of multiple communication paths through the probe as the third communication path to provide a common mode of operation between the first node and the second node, wherein the probe includes a bypass mode in which data bypasses the probe and a pass through mode in which data is monitored by the probe.

10. (Canceled)

11. (Currently Amended): An article of manufacture comprising a machine readable medium having a plurality of machine readable instructions stored thereon, wherein the instructions, when executed by a processor, cause the processor to:

a) establish a first communication path between a probe and a first node including negotiating a mode of operation with the first node;

b) establish a second communication path between the probe and a second node including negotiating a mode of operation with the second node; and

c) establish a third communication path through the probe, the third communication path coupling the first and second communication path by establishing a point to point link between the first and second nodes in order to provide a negotiated common mode of operation between the first node and the second node by comparing the mode of operation with the first node and the mode of operation with the second node and selecting one of multiple communication paths through the probe as the third communication path to provide a common mode of operation between the first node and the second node, wherein the probe includes a bypass mode in which data bypasses the probe and a pass through mode in which data is monitored by the probe.

12. (Canceled)

13. (Canceled)

14. (Currently Amended): The article of manufacture of claim [[13]] 11, wherein the instructions that cause a processor when executed to negotiate a mode of operation with the first node cause the processor when executed to negotiate a speed of a transmission of data over the first communication path between the probe and the first node.

15. (Currently Amended): The article of manufacture of claim [[13]] 11, wherein the instructions that cause the processor when executed to negotiate a mode of operation with the first node cause the processor when executed to negotiate one of half duplex and full duplex communication over the first communication path between the probe and the first node.

16. (Canceled)

17. (Canceled)

18. (Currently Amended): The article of manufacture of claim [[17]] 11, wherein the common mode of operation between the first node and the second node is the best mode of operation available between the first node and the second node.